

consumer news

DEPARTMENT OF HEALTH, EDUCATION & WELFARE

Office of Consumer Affairs
Virginia H. Knauer, Director

More consumer offices

More offices can be added to the list of those established within the Federal Government to resolve consumer problems:

- **Federal Deposit Insurance Corp.** (FDIC) has appointed a new director to its recently established Office of Bank Customer Affairs. He is Thomas C. O'Neill, under his supervision, the office is responsible for handling consumer complaints about bank accounts & practices of banks in general. Although FDIC can only take action against banks under its jurisdiction (state chartered banks that are not members of the **Federal Reserve System**), the consumer office will act as a clearinghouse for all banking complaints. In addition, the office can recommend to FDIC proposed regulations that would protect consumers & can suggest special investigations to be conducted by FDIC on bank customer matters. If you have a complaint involving banking, you can address it to: Office of Bank Customer Affairs, Federal Deposit Insurance Corp., Washington, DC 20429, or call 202-389-4637.

- **Federal Communications Commission** (FCC) has set up a new Consumer Assistance Office to give consumers information about FCC matters & to act as a clearinghouse for consumer complaints. Headed by Belle Brooks O'Brien, the new office is to help consumers get answers to problems involving television programming, citizens band (CB) & other radio operations & related matters under FCC jurisdiction. It will also develop brochures & informational materials to explain FCC procedures & ways to comply with FCC regulations. If you have a problem that involves FCC—or want more information about the new office—write: Consumer Assistance Office, Federal Communications Commission, 1919 M St. NW, Washington, DC 20554, or call 202-632-7000.

In a related matter, **Agriculture Dept.** has set up a new **Advisory Committee on Regulatory Programs** to look into regulations affecting the food industry & to recommend repeal or changes in these regulations if needed. Comprised of representatives from the food industry, farmers, state & local government officials & consumers, the 2-year committee will be studying such consumer-related Agriculture regulations as those covering meat & poultry inspection & marketing orders for milk, fruit & vegetables. If the committee determines that some of these regulations are outdated or lead to higher prices for consumers, it can recommend to Agriculture that they be improved or eliminated.

Presidential actions for consumers

President Ford has vetoed one measure & signed 2 of consumer interest:

- On the basis of testimony presented on behalf of American consumers by **Office of Consumer Affairs (OCA) & Council on Wage & Price Stability (CWPS)**, President Ford rejected a petition to impose quotas on imports of shoes & slippers (non-rubber footwear). Petition was presented by the American Footwear Industries Association, Boot & Shoe Workers Union & United Shoe Workers of America because the American shoe industry felt that imported shoes caused "serious injury" to the domestic industry. However, according to OCA & CWPS, adopting new quotas could raise shoe prices for consumers by as much as \$1 billion a year.

In petitioning for the new tariff, the American shoe industry was seeking a "remedy" under the 1974 Trade Act that gives the President the authority to adopt quotas if imports are injuring American competition. Specific "relief" requested by the industry was the imposition of quotas on a product-by-product, country-by-country basis that would limit the importation of foreign shoes to 21.5% of the market (total sales in the U.S.) or 175.3 million pairs. In 1974, imports were 40.1% of the market or 244.5 million pairs.

President Ford rejected the industry's petition after deciding that the impact upon the consumer was too great to balance the gains to the industry. According to CWPS statistics presented to the President, quotas would have increased shoe prices by 10%—which at retail level would have meant an added cost to consumers of \$1.34 a pair. OCA & CWPS also testified that the imposition of quotas would not resolve the shoe industry's problems, which, according to the agencies, are caused not by imports but because the industry is too slow in responding to style changes & other consumer demands.

- To protect animals when they are shipped by air or ground transportation or when they are being used in research, President Ford signed the **Animal Welfare Act**, which now makes it illegal to treat animals inhumanely. The new law covers several areas including the following: (1) It makes it a Federal offense to promote animal fighting or to deliver, sell, buy or transport animals for fighting purposes. (2) It helps pet owners by making it illegal for anyone to sell or use animals which have been stolen. (3) It requires **Commerce Dept.** to issue new safety regulations requiring the humane handling of research animals or pets being maintained or shipped by air or ground transportation.

- President Ford also signed new legislation clarifying the role of **Food & Drug Administration (FDA)** in regulating vitamins. New law overrules a proposal issued by FDA that would have given the agency authority to declare some vitamins as "drugs" & to ban other combinations of vitamins & related ingredients if FDA believed they were nutritionally useless. However, the new law does not restrict FDA's authority to regulate what goes into dietary supplements for safety reasons, & it allows FDA to continue to regulate as prescription drugs high doses of certain vitamins & minerals—such as vitamins A & D—which have been proven to be unsafe if taken in large doses without a doctor's guidance. Law also allows FDA to set minimum potency levels for vitamins & minerals, thus preventing sales of doses that do nothing for nutrition.

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Recalls

CARS—Chrysler Motors Corp., Detroit, MI, announces the recall of approximately 8,310 1975 model Plymouth Valiant Dusters & Dodge Dart Sport passenger cars manufactured between January & February 1975 because the cars could lose their front braking power. According to the manufacturer, the left front braking tube on these cars may be improperly routed, allowing the tube & the brake hose to rub together. Resulting abrasion could cause hose failures & loss of front brake capability. The rear brake system is not affected.

What to do: If you bought one of these cars new, you will get a notification report from Chrysler telling where to take your car to be repaired. If you bought a used model & do not receive a recall notification, you can contact your dealer to find out if your car is one of the affected vehicles. Tell your dealer your inquiry involves Recall Notification Campaign No. 212 that was issued on April 26, 1976.

COOKIES & GRAPEFRUIT JUICE—Food & Drug Administration (FDA) has announced the recall of more than 20,000 cases of cookies, graham crackers & canned grapefruit juice that were variously contaminated with rodent hairs, rodent parts & other filth. Cookies & crackers were manufactured by the Bremner Biscuit Co., Louisville, KY, & distributed nationwide.

Brands of cookies involved are: Princess Creme Vanilla Cookies; Lenox Park Creme Vanilla Cookies; Oven Krisp Vanilla Sandwich Cookies; Ovenjoy Creme Vanilla Cookies; Lenox Park Creme Chocolate Cookies; Oven Krisp Chocolate Sandwich Cookies; Oven Krisp Lemon Sandwich Cookies; Ovenjoy Creme Lemon Cookies; Princess Creme Lemon Cookies; Lenox Park Creme Lemon Cookies; Ovenjoy Creme Devil's Food Cookies; Bremner's Sugar Honey Graham Crackers; Dutch Valley Sugar Honey Graham; Food Club Sugar Honey Graham; Oven Krisp Sugar Honey Graham; Red Owl Golden Honey Graham; Red & White Sugar Honey Graham; A&P Sugar Honey Graham; Scot Lad Sugar Honey Graham; Sunny Square Sugar Honey Graham; Finast Sugar Honey Graham; IGA Sugar Honey Graham; Rokeach Sugar Honey Graham; Roundy's Sugar Honey Graham; Camelot Sugar Honey Graham & Monarch Sugar Honey Graham.

Canned, sweetened grapefruit juice was manufactured by Kykes Pasco Packing Co., Dade City, FL, & was distributed both nationwide & in Canada. Brands involved are: A&P; Aunt Nellies; Garden Charm; Golden Isle Brand; Hyde Park; Ideal Acme; Kingston; Loblaw's; Our Family; Pomco; Shurfine; Thrifty Main; Town Price; Unity; Bonimart; Libby's; & Malkins.

More on hearing aids & telephones

Virginia Knauer, Special Assistant to the President for Consumer Affairs, has reported that many telephone companies around the country have agreed to include disclosure statements regarding incompatibility of certain types of phones with hearing aids. These disclosure statements will be included in any written advertising for incompatible models. In addition, the phone companies will be placing ads in publications directed toward families & individuals likely to have hearing problems to promote a new brochure which explains special devices available from the phone company to make telephoning easier for the hard of hearing.

Incompatibility between phones & hearing aids has been a problem since the early 1960's when users of certain hearing aids found that they were unable to use newly-designed telephones. Problem occurred because the newer telephones no longer emitted magnetic leakage around which many hearing aids had been designed. Following negotiations with Mrs. Knauer, consumer groups & organizations representing the hard of hearing, American Telephone & Telegraph Co. (AT&T) developed a low-cost adapter for use with incompatible phones [CONSUMER NEWS: Aug. 1, 1973]. AT&T also modified the design of its new coin phones to make them compatible [CONSUMER NEWS: June 15, 1975]. These new sets are identified by a small, round blue fastener—or grommet—at the joint between the cord & the receiver; incompatible sets have grey grommets.

But while AT&T was able to modify the coin telephone & standard residential phones to make them compatible, design limitations of the Trimline & some Design Line phones have precluded modification, which, in other instruments, could be accomplished through the telephone company's insertion of a metal coil to restore magnetic leakage. Compounding the problem was the fact that advertising for Trimline & Design Line phones failed to point out for the benefit of the hard of hearing that these instruments were incompatible with some hearing aids.

To provide this needed information about the Trimline & Design Line phones to consumers, the Chesapeake & Potomac Telephone Companies of Maryland, Virginia, West Virginia & District of Columbia adopted a policy of disclosure. Impressed by C&P's action, Mrs. Knauer wrote to the other 18 operating companies of the Bell System urging adoption of a similar disclosure policy. Here are the results:

- Responses were received from all companies & all but 5 gave an unqualified endorsement of this policy.

- Of the 5, Southern Bell agreed to include a disclosure statement "whenever practical," & Indiana Bell said it would further consider the matter. Two firms—Cincinnati Bell & Bell Telephone of Pennsylvania—said they include such information in other written materials but did not mention advertising. Only one company—Southwestern Bell—responded negatively to the suggestion.

- AT&T also announced that it will soon launch a nationwide advertising campaign promoting a booklet explaining special equipment & services which the Bell System has available for the hard of hearing. Booklet is called *Aids for the Hard of Hearing* & will be sent free to any consumer requesting a copy.

Companies agreeing to adopt the new disclosure policy are: New Jersey Bell Telephone Co., Wisconsin Telephone Co., Illinois Bell, Pacific Telephone & Telegraph Co., Mountain Bell, South Central Bell, Pacific Northwest Bell, Southern New England Telephone, Northwestern Bell, New York Telephone, New England Telephone, Ohio Bell & Michigan Bell.

Oh say, can you see?

To celebrate the Bicentennial, many consumers will be flying the American flag this summer. But there are so many different types of flags on the market now that consumers are wondering which ones should be displayed & how. To solve this problem **American Revolution Bicentennial Administration (ARBA) & Defense Dept.** offer tips for consumers on buying flags & displaying them properly.

The official National Bicentennial Flag—a 5-pointed star in white surrounded by continuous red, white & blue stripes & black lettering on a white field—can be flown along with the U.S. (50-star) flag, but never in its place. Historic flags that have a significance connected with the American Revolution & previous versions of the national flag—such as the 13-star Betsy Ross flag or the Bennington “76” flag—should only be displayed in historical settings & pageants. These flags should never be flown instead of, or even in front of, either the official U.S. or the National Bicentennial Flag.

There are few Federal laws relating specifically to an individual's use of the U.S. flag. Most states, however, have their own flag laws, covering their state flag & the U.S. flag, & impose penalties on those who violate them. But U.S. Public Law 829-77 offers these guidelines for all consumers who are not required to follow the rules of the Armed Forces or other branches of the Federal Government:

- It is customary to display the flag on buildings or on flagpoles only from sunrise to sunset although there is no law against flying it at night. Flag should never be flown in bad weather.
- When displaying more than one flag on a flagpole, the U.S. flag should always be at the top. If you are flying the National Bicentennial Flag, it comes next. State flags can be flown either above or below the Bicentennial flag, depending on the state's statutes. City, school or club flags should be displayed after—or below—national & state flags.
- When displayed with other flags on different staffs, the U.S. flag should be at the center, or at the highest point of the group. When carried in a line of flags, it should be on the marching right or in front of the center of the line.
- If you live in an apartment & have no flagpole, you can still display the flag—hang it vertically in a window, from a balcony or on a wall so that when seen by observers in the street, the blue field is at the top & on the left side.
- Never drape the flag over any vehicle, train or boat, & do not use it for decoration.
- Never use the flag as a part of a costume or athletic uniform & never embroider it on clothes, cushions or other articles. Many states have their strictest flag laws in this area & impose heavy penalties on violators.

Consumers can buy flags at almost any department store; there are also flag specialty shops. In view of the Bicentennial rush, you may wish to shop around for the best price in your area. ARBA offers a list of manufacturers who make the Bicentennial & other historical flags.

When your flag is no longer suitable for display because of wear or damage, it should be destroyed in a “dignified” way, preferably by burning. But if your flag is soiled, take it to your dry cleaner's. In cooperation with the American Legion, many dry cleaners will clean the U.S. flag free between June 1 & 12 (provided the owner promises to fly it on Flag Day, June 14). Some dry cleaners offer free cleaning of the U.S. flag at any time.

To find out more about flag laws in your area, contact your state's public information office (usually listed in local phone directory). For more information on the history of the American flag & how to display it, you may want a copy of *Our Flag*, which is available free from your Congressman's office. For a free list of Bicentennial & historical flags & how to get them, write American Revolution Bicentennial Administration, 2401 E St. NW, Washington, DC 20276.

For sale

In keeping with the spirit of the Bicentennial, **National Archives & Records Service (NARS)** is offering consumers a variety of publications & reproductions based upon documents from America's past: posters of the Declaration of Independence, U.S. Constitution & Bill of Rights; a cassette recording of famous American voices; World War I recruiting posters; & a reproduction of Lincoln's Emancipation Proclamation. These are among the Bicentennial publications listed in a catalog describing all the reproductions & publications that you can buy from NARS. Called *Documents from America's Past*, this free catalog is available from NARS, a component of **General Services Administration (GSA)**, by writing to NEPS, National Archives, Washington, DC 20408.

Price slash

Federal Communications Commission (FCC) has made it even easier for consumers to use citizens band radios [CONSUMER NEWS: Feb. 15, May 1] by slashing the price of the official CB rule book from \$5.35 to \$1.50. Rule book contains regulations that are required for legal operation of CBs. To get a copy of the rule book, write Superintendent of Documents, **Government Printing Office**, Washington, DC 20402 (make checks payable to Supt. of Documents).

Warning!

TRAILERS—National Highway Traffic Safety Administration (NHTSA) warns owners of recreational travel-trailers to make special inspections of their trailer weights & trailer load distribution before making any trip. According to NHTSA, many travel-trailer owner's manuals, particularly those for trailers several years old, do not advise consumers about hazards that could occur if the vehicle is not loaded properly. Because of overloading or because the load in the trailer is not distributed properly, the suspension system of the trailer may fail, resulting in serious accidents. NHTSA said that large single-axle trailers—those measuring 4.6 meters (15 feet) or more in length—are especially susceptible to overload; however, the agency advises all trailer owners to find out their vehicle's load-carrying limitation to avoid overloading.

What to do: If you own a recreational travel-trailer, write to the manufacturer of the vehicle to get information on how to load your trailer properly and what the weight limit should be. If you have experienced suspension problems with your vehicle or need further help getting overload information, you can also contact NHTSA's Office of Consumer Services, Washington, DC 20590 (if you live on the East Coast, you can call NHTSA's toll free hotline: 800-424-0123).

Agricultural policy

President Ford has reorganized the Executive Branch's agricultural policy-making procedure by forming a new **Agriculture Policy Committee**. New committee consolidates all those who determine food policy into one group.

Committee membership is composed of the Secretary of Agriculture (who also serves as Chairman); Secretary of State; Secretary of the Treasury; Secretary of Commerce; Assistant to the President for Economic Affairs; Assistant to the President for Domestic Affairs; Chairman of the Council of Economic Advisers; Assistant to the President for National Security Affairs; Director of the Office of Management & Budget; Special Assistant to the President for Consumer Affairs; & Executive Director of the Council on International Economic Policy.

S-p-r-e-a-d-i-n-g the word

Office of Consumer Affairs (OCA), the National Consumers League, American Home Economics Association, George Washington University & several business firms are co-sponsoring a conference on the care labeling of textile products July 19-20 in Washington, DC. **Federal Trade Commission (FTC)** has proposed that the existing trade regulation rule on care labeling of textiles be expanded to cover additional products (carpets, upholstered furniture, suede & leather wearing apparel) &, among other things, to provide for disclosure of alternate methods of care [CONSUMER REGISTER: Feb. 15].

Supreme Court says

The Supreme Court has given these decisions of interest to consumers:

- Reaffirmed the constitutionality of the National Motor Vehicle & Safety Act, which allows the Federal Government to impose fines of up to \$800,000 on automakers who refuse to issue recall notices. The test of this law resulted when **National Highway Traffic Safety Administration (NHTSA)** ordered the Ford Motor Co. in August 1975 to recall 1968 & 1969 Ford Mustangs & Mercury Cougars because NHTSA said seat brackets in these cars were defective. Claiming that there was no evidence that the bracket failures were widespread or that they caused any significant injuries, Ford challenged the order & filed suit. Ford contended that automakers were denied "due process of law" because they risked fines if they contested Federal Government rulings. The Supreme Court upheld a lower court ruling which noted that an automaker could obtain a preliminary injunction against fines while contesting a recall order if it could show some likelihood the order eventually would be held invalid. (Ford Motor Co. vs Coleman; #75-870).

- Ruled that a consumer's right to privacy does not extend to microfilmed records of bank accounts when the records are demanded by the **Internal Revenue Service (IRS)**. Reasoning was that when a taxpayer uses banking facilities, he or she has no "legitimate expectation of privacy," & thus IRS need not meet strict search warrant requirements when obtaining records directly from a bank. Other related tax opinions handed down were that: (1) taxpayers have no constitutional right to be warned that they can remain silent or have a lawyer present when being questioned by IRS agents in their homes or places of employment; this right only applies when a taxpayer is taken into IRS custody; & (2) a lawyer can be compelled to surrender an accountant's work papers without violating the client taxpayer's right against self-incrimination or his right to privacy. According to the opinion, the privilege against self-incrimination & the lawyer-client privilege does not protect accountant's documents from a subpoena. (Microfilmed records-U.S. vs Miller; 74-1179—warning rights-Beckwith vs U.S.; 74-1243—accountant's records-Fisher vs U.S.; 74-18 & U.S. vs Kasmir; 74-611.)

To get a copy of these Supreme Court decisions, write Clerk's Office, Room 22A, Supreme Court Bldg., Washington, DC 20543.

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